



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/687,736

10/20/2003

Miwako Doi

04329.3164

9256

22852

7590

05/05/2006

FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER
LLP

901 NEW YORK AVENUE, NW
WASHINGTON, DC 20001-4413

EXAMINER

PYO, MONICA M

ART UNIT

PAPER NUMBER

2161

DATE MAILED: 05/05/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/687,736	Applicant(s) DOI, MIWAKO	
	Examiner Monica M. Pyo	Art Unit 2161	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 October 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- 1: ☐ Certified copies of the priority documents have been received.
- 2: ☐ Certified copies of the priority documents have been received in Application No. _____.
- 3: ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 3/04, 9/04 & 11/05 3/17/04, 9/29/04
11/4/05
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. Claims 1-17 are present for examination.
2. Claims 1-17 are rejected.

Information Disclosure Statement

3. The information disclosure statement (IDS) submitted on 3/17/2004, 9/29/2004 and 11/04/2005 was filed and considered by the examiner.

Specification

4. The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). Correction of the following is required:

- The claim limitation of "second information item is an image" in claim 4 lacks proper antecedent basis in the specification.
- The claim limitation of "a enciphering unit" in claim 5 lacks proper antecedent basis in the specification.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1-2, 5-11 and 14-17 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 6,275,824 issued to O'Flaherty et al. (hereafter O'Flaherty).

Claims 1 and 10:

Art Unit: 2161

Regarding Claim 1, O'Flaherty disclose an information sharing apparatus, which communicates with at least one terminal corresponding to a first user of users, comprising (col. 6, lns. 24-28):

an acquiring unit configured to acquire a first information item which includes an anonymous information item and a personal information item, the personal information item corresponding to an informant of the anonymous information item (col. 4, lns. 18-25);

a separating unit configured to separate the personal information item from the first information item, to obtain the anonymous information item (col. 4, lns. 49-60);

a first storing unit configured to store the personal information item and the anonymous information item (col. 4, lns. 37-43);

a second storing unit configured to store a first access level which is assigned to a first group of the users who can access only the anonymous information item out of the anonymous information item and the personal information item, and to store a second access level which is assigned to a second group of users of the users who can access both of the anonymous information item and the personal information item (col. 4, lns. 15-18 & 30-34);

a receiving unit configured to receive a request message for accessing the first information item, the request message being transmitted from the terminal (col. 4, lns. 61-67);

a first transmitting unit configured to transmit only the anonymous information item out of the anonymous information item and the personal information item to the terminal in response to the request message, when an access level predetermined to the first user is equal to the first access level (col. 5, lns. 31-43);

Art Unit: 2161

a second transmitting unit configured to transmit both of the anonymous information item and the personal information item in response to the request message, when the access level of the first user is equal to the second access level (col. 5, lns. 1-16).

Claim 10 is also rejected based upon the same reasoning as Claim 1.

Claims 2 and 11:

Regarding Claim 2, O'Flaherty disclose an information sharing apparatus, which communicates with at least one terminal corresponding to a first user of users, comprising (col. 6, lns. 24-28):

an acquiring unit configured to acquire a second information item which includes a personal information item (col. 4, lns. 18-29);

an extracting unit configured to extract the personal information item from the second information item, to obtain extracted personal information item (col. 34, lns. 30-36 & 53-56);

a generating unit configured to generate an anonymous information item by deleting the personal information item from the second information item (col. 4, lns. 37-60);

a first storing unit configured to store the extracted personal information item and the anonymous information item (col. 4, lns. 37-43);

a second storing unit configured to store a first access level which is assigned to a first group of users of the users who can access only the anonymous information item out of the anonymous information item and the personal information item, and to store a second access level which is assigned to a second group of users of the users who can access both of the anonymous information item and the personal information item (col. 4, lns. 15-18 & 30-34);

Art Unit: 2161

a receiving unit configured to receive a request message for accessing the second information item, the request message being transmitted from the terminal (col. 4, lns. 61-67);

a first transmitting unit configured to transmit only the anonymous information item out of the anonymous information item and the personal information item to the terminal in response to the request message, when an access level predetermined to the first user is equal to the first access level (col. 5, lns. 31-43);

a synthesizing unit configured to synthesize the personal information item with the anonymous information item, to obtain a regenerated second information item (col. 4, lns. 49-60);

a second transmitting unit configured to transmit the regenerated second information item in response to the request message, when the access level of the first user is equal to the second access level (col. 5, lns. 1-16).

Claim 11 is also rejected based upon the same reasoning as Claim 2.

Claim 5:

Regarding Claim 5, O'Flaherty disclose the apparatus further comprising: a enciphering unit configured to encipher the anonymous information item to obtain an enciphered anonymous information item; and, wherein the first storing unit stores the enciphered anonymous information item (col. 14, lns. 31-42).

Claims 6 and 14:

Regarding Claim 6, O'Flaherty disclose the apparatus wherein the anonymous information item is composed of various information items, and the first transmitting unit and the second transmitting unit transmit one or more requested information items of the various

Art Unit: 2161

information items, the one or more information items being requested by the request message (O'Flaherty: col. 5, lns. 20-22 & 29-33 & 52-61).

Claim 14 is also rejected based upon the same reasoning as Claim 6.

Claim 7:

Regarding Claim 7, O'Flaherty disclose the apparatus further comprising a third storing unit configured to store a pair of IDs of each of the personal information item and the anonymous information item (col. 6, lns. 6-8; col. 9, lns. 6-14; fig. 2B);

a second acquiring unit configured to acquire one ID of the pair, based on another ID of the pair, the another ID corresponding to the anonymous information item (col. 9, lns. 15-24; fig. 2A); and

a third acquiring unit configured to acquire the personal information item which corresponds to the one ID and is to be transmit in response to the request message, from the first storing unit (col. 8, lns. 46-61; col. 14, lns. 31-42; fig. 8).

Claim 8:

Regarding Claim 8, O'Flaherty disclose the apparatus further comprising a third storing unit configured to store a pair of IDs of each of the extracted personal information item and the anonymous information item (figs. 2A-2B);

a second acquiring unit configured to acquire one ID of the pair, based on another ID of the pair, the another ID corresponding to the anonymous information item (col. 9, lns. 15-24; fig. 2A); and

a third acquiring unit configured to acquire the extracted personal information item which corresponds to the one ID and is to be synthesize with the anonymous information, from the first

Art Unit: 2161

storing unit (col. 4, lns. 49-60; col. 8, lns. 46-61; col. 14, lns. 31-42; fig. 8).

Claims 9 and 17:

Regarding Claim 9, O'Flaherty disclose the apparatus wherein the generating unit generate the anonymous information item by overwriting into an area corresponding to the personal information item with in arbitrary symbols (col. 4, lns. 37-60).

Claim 17 is also rejected based upon the same reasoning as Claim 9.

Claim 15:

Regarding Claim 15, O'Flaherty disclose the method which includes storing a pair of IDs of each of the personal information item and the anonymous information item in a third memory device;

acquiring one ID of the pair, based on another ID of the pair, the another ID corresponding to the anonymous information item (col. 9, lns. 15-24; fig. 2A); and

acquiring the personal information item which corresponds to the one ID and is to be transmit in response to the request message, from the first memory device (col. 8, lns. 46-61; col. 14, lns. 31-42; fig. 8).

Claim 16:

Regarding Claim 16, O'Flaherty disclose the method which includes storing a pair of IDs of each of the extracted personal information item and the anonymous information item in the third memory device (col. 6, lns. 50-67);

acquiring one ID of the pair, based on another ID of the pair, the another ID corresponding to the anonymous information item (col. 6, lns. 50-56; col. 9, lns. 15-24; fig. 2A);
and

acquiring the extracted personal information item which corresponds to the one ID and is to be synthesize with the anonymous information, from the first memory device (col. 4, lns. 49-60; col. 6, lns. 50-56; col. 8, lns. 46-61; col. 14, lns. 31-42; fig. 8).

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 3-4 and 12-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over O'Flaherty as applied to claims 1-2, 5-11 and 14-17 above, and further in view of U.S. Patent No. 5,705,980 issued to Shapiro et al. (hereafter Shapiro).

Claims 3 and 12:

Regarding Claim 3, O'Flaherty disclose the apparatus wherein the anonymous information (O'Flaherty: col. 4, lns. 18-25).

O'Flaherty does not explicitly disclose: item is a vital data item of the informant.

However, Shapiro disclose item is a vital data item of the informant (as medical information; Shapiro: col. 3, lns. 12-20; col. 6, lns. 66-67).

It would have been obvious to a person with ordinary skill in the art at the time of invention to apply the personal security information of Shapiro into the data privacy management system of O'Flaherty. Skilled artisan would have been motivated to incorporate the Beck's teaching of computer managed personal/medical information system in the O'Flaherty's

Art Unit: 2161

teaching of managing private data to be able to store and report patient's medical information (Shapiro: col. 2, lns. 35-41).

Claim 12 is also rejected based upon the same reasoning as Claim 3.

Claims 4 and 13:

Regarding Claim 4, O'Flaherty and Shapiro disclose the apparatus wherein the second information item is an image, and the personal information item is an image of a personal face (O'Flaherty: col. 4, lns. 18-25) and (Shapiro: col. 3, lns. 12-20).

Claim 13 is also rejected based upon the same reasoning as Claim 4.


Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Monica M. Pyo whose telephone number is 571-272-8192. The examiner can normally be reached on Mon-Fri 6:30 - 3:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey Gaffin can be reached on 571-272-4146. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ey


JEFFREY GAFFIN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100

Monica M Pyo, Examiner
Art Unit 2161